City of San Antonio, Texas

Department of Development Services

December 6, 2006

Connie L. Basel
Brown, P. C., Attorneys at Law
112 E. Pecan Street
San Antonio, TX 78205

RE: Vested Rights Permit File: # 07-11-007 (Cactus Bluff Commercial Unit 2)

Dear Ms. Basel:

We have reviewed your application for Vested Rights that was submitted on November 8, 2006. Based on the information provided the following are our official findings:

Applicant may have rights effective June 5, 1985 consistent with MDP #048 for 6.106 acres of commercial development when a site plan and Fair Notice Form are submitted prior to any applications for plat approval.

All appeals and resubmittals must be filed with the Director of Development Services within fifteen (15) calendar days from the date the applicant is notified of the adverse decision or action taken under these requirements. Appeals and resubmittals made after fifteen (15) calendar days will not be accepted. If you have any further questions please contact Michael Herrera at 207-7038.

Sincerely,

Fernando J. De León, P.E.
Interim Assistant Director Development Services Department
Land Development Division

PICKED UP: Connie Basel
DATE: 12/6/06

KENNETH W. BROWN, AICP
DANIEL ORTIZ
PATRICK W. CHRISTENSEN
CONNIE L. BASEL

BROWN, P.C.
ATTORNEYS AT LAW

PAUL M. JUAREZ
OF COUNSEL

112 E. PECAN STREET
SUITE 1490
SAN ANTONIO, TEXAS 78205
TELEPHONE: 210.299.3704
FAX: 210.299.4731

October 25, 2006

Mr. Michael Herrera
Development Services Department
City of San Antonio
1901 S. Alamo, 2nd Floor
San Antonio, TX 78204

Via Hand Delivery

Mr. Norbert Hart
City Attorney's Office
City of San Antonio
100 Military Plaza, 3rd Floor
San Antonio, TX 78205

Via Hand Delivery

Re: Vested Rights for a 6.106-Acre Tract of Land, Generally Located Southwest of the Intersection at Stone Oak Parkway and U.S. Hwy 281, San Antonio, Bexar County, Texas (the "Subject Property"); Our File No. 9001.017

Dear Messrs. Herrera and Hart:

Attached please find a Vested Rights Application for the above-referenced property (the "Subject Property"). This request is made pursuant to provisions of the City of San Antonio's (the "COSA") Unified Development Code (the "UDC"), Chapter 35, Article 7, Division 2 ("Vested Rights"). The purpose of this correspondence is to request COSA's acknowledgement of "vested rights" as of June 5, 1985 for a commercial land use on a 6.106-Acre tract of land, based on Stone Oak Preliminary Overall Area Development Plan No. 48 ("Stone Oak POADP No. 48") and various plats approved by COSA pursuant to such POADP.

The Subject Property is a 6.106-Acre tract, more specifically described as New City Block 19219, Block 25, Lots 1-4, Bexar County, Texas, and as further illustrated on approved Plat No. 990488 (the "Subject Property", *see* Exhibit 2: "Cactus Bluff Commercial Unit 2"). The Property is wholly included within Stone Oak POADP No. 48, which was originally validated by virtue of Plat No. 850222 (the "Summit of Stone Oak").

The Stone Oak POADP No. 48 constitutes the first "permit" in a series of permits necessary for the development of the Subject Property as that term is contemplated by Chapter 245 of the Texas Local Government Code (the "Code"). Perhaps more importantly, Stone Oak POADP No. 48 has always authorized the development of the Property for a commercial land use (the "Project") (*see* Exhibit 3: Stone Oak POADP No. 48). The Subject Property is also currently zoned "C-3 ERZD", which expressly permits a commercial land use on the Property (*see* Exhibit 4).

11-08-06A11:02 RCVD VRP# 07-11-007

The following is a sample of plats that have been filed with and approved by COSA pursuant to Stone Oak POADP No. 48; such plats are hereby submitted as evidence of "progress" toward completion of the Project pursuant to the City Attorney's interpretation of Section 245.005 of the Code:

i) Plat No. 990488 approved on March 22, 2000;

ii) Plat No. 000151 approved on December 13, 2000;

iii) Plat No. 010171 approved on November 14, 2001;

iv) Plat No. 010137 approved on January 9, 2002;

v) Plat No. 020383 approved on March 26, 2003; and,

vi) Plat No.040399 approved on October 13, 2004.

Please note that COSA has already issued Development Rights Permit No. 243, which grants "development rights" for the entire Stone Oak POADP No. 48 area (including the Property) dating back to June 5, 1985 (*see* Exhibit 5). Moreover, COSA has already issued Vested Rights Permit No. 02-01-059, which acknowledges "vested rights" pursuant to Chapter 245 of the Code for the entire Stone Oak POAPD No. 48 area (including the Property) dating back to June 5, 1985 (*see* Exhibit 6). As you know, the UDC requires continued recognition of previously-issued "development rights" and the Code requires continued recognition of "vested rights" – simply stated, the purpose of this correspondence is to re-acknowledge "vested rights" for a specific tract of land within a larger area for which "development rights" and "vested rights" have already been acknowledged.

In conclusion, Stone Oak POADP No. 48 constitutes a "permit" as defined by Chapter 245 of the Code, and was a necessary first step in the development of the Property, which has always been included within such POADP. Stone Oak POADP No. 48 has authorized the commercial Project from its inception, and has not become dormant by virtue of the approval of the plats listed herein. Finally, the facts summarized in this correspondence have been previously reviewed and acknowledged by COSA, as evidenced by Development Rights Permit No. 243 and Vested Rights Permit No. 02-01-059.

Included with this correspondence, please find enclosed a check for $500.00 to cover the costs of processing this application and duplicate copies of the following:

1) Vested Rights Permit Application;
2) Cactus Bluff Commercial Unit 2 Plat No.990488;
3) Stone Oak POADP No. 48;
4) COSA Zoning Map;
5) COSA Development Rights Permit No. 243; and,
6) COSA Vested Rights Permit No. 02-01-059.

Please do not hesitate to contact me should you have any questions regarding this matter.

VRP# 07-11-007

11-08-06A11:02 RCVD

Sincerely,

BROWN, P.C.

By: _____
Connie L. Basel

CLB/ea
Enclosures: As stated

11-08-06A11:02 RCVD

VRP#07-11-007

Permit File #_____

EXHIBIT
2

City of San Antonio

Development Services Department

Vested Rights Permit/Consent Agreement APPLICATION

Permit File: #_____
Assigned by city staff

Date: October 25, 2006

☒ **Vested Rights Permit** ☐ **Consent Agreement**

1. **All applicable information on application must be legibly printed or typed for processing.** ***If application is completed on behalf of the property owner please attach power of attorney or letter of agent.***

2. ***Please complete subject of application and attach 2 sets of all applicable documents (i.e. this application, Master Development Plan, P.U.D. plan, plat application, approved plat, building permit) along with appropriate fee.***

> ***Note: All Applications must comply with the Unified Development Code (UDC), Section 35-B124 Vested Rights Determination for the City of San Antonio.***

(a) Owner/Agent: Brown, P.C, Attorneys at Law

Phone: (210) 299-3704 **Fax:** (210) 299-4731

Address: 112 E. Pecan Street, Suite 1490

City: San Antonio **State:** Texas **Zip code:** 78205

Engineer/Surveyor: Raymond Tarin of Cude Engineers
Address: 10325 Bandera Road

City: San Antonio **State:** TX **Zip Code:** 78250

Name of Project: Cactus Bluff Commercial Unit 2

(b) Site location or address of Project and Legal description: A 6.106-Acre tract, more specifically described as New City Block 19219, Block 25, Lots 1-4, Bexar County, Texas, as further illustrated on approved Cactus Bluff Commercial Unit 2 Plat No. 990488, which has been recorded in Volume 9559, Page 163, of the Bexar County Deed and Plat Records, Bexar County, Texas.

Council District 9 **ETJ** N/A **Over Edward's Aquifer Recharge? (X) yes ( ) no**

11-08-06A11:02 RCVD

3. **What is the specific Project and the expected use(s) to be created by this Project (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)?** ***Please be aware that the city must understand exactly what this Project is expected to accomplish in order to evaluate this application.***

VRP# 07-11-007

Permit File #_____

(a) Total land use, in square feet; ± 265,977.36 S.F. (± 6.106 Acres)

(b) Total area of impervious surface, in square feet; ± 239,379.62 S.F.

(c) Number of residential dwellings units, by type; N/A

(d) Type and amount of non-residential square footage; ± 478,759.25 S.F. (commercial)

(e) Phases of the development, (If Applicable); N/A

4. What is the date the applicant claims rights vested for this Project? June 5, 1985

Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based;

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following: a timing and phasing plan for the proposed development; a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed; and the conditions under which approvals or permits will lapse or may be revoked. A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

5. What, if any, construction or related actions have taken place on the property since that date?

N/A

6. By what means does the applicant claim rights vested for this Project? ***Please specify all that may be applicable.***

- **PERMIT**

Type of Permit: _____ **Date of Application:** _____

Permit Number: _____ **Date issued:** _____

Expiration Date: _____ **Acreage:** _____

- **MASTER DEVELOPMENT PLAN (MDP)** (Formerly POADP)*

accepted *prior to September 1, 1997* **are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted** *after September 1, 1997* **are subject to 18 months for the POADP acceptance date.**

Name: Stone Oak Preliminary Overall Area Development Plan #048

Date accepted: 6/5/1985 **Expiration Date:** 9/1/2007 **MDP Size:** 4,300 **acres**

- **P.U.D. PLAN**

11-08-06A11:02 RCVD

Name: _____ **#** _____

Date accepted: _____

VRP# 07-11-007

Permit File #_____

- **Plat Application**

Plat Name: _____ **Plat #** _____ **Acreage:** _____

Date submitted: _____ **Expiration Date:** _____

(Note: Plat must be approved within 18 months of application submittal date).

- **Approved Plat**

Plat Name: _____ **Plat #**_____ **Acreage:** _____

Approval Date: _____ **Plat recording Date:**_____

Expiration Date:_____ **Vol./Pg.** _____

(Note: If plat is not recorded within 3 years of plat approval permit rights will expire).

- **Other**

_____

_____

NOTE: Filing a knowingly false statement on this document, or any attached document, is a crime under §37.02 and §37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to $10,000.

I hereby certify that all information this Application and the attached documents is true and correct and that it is my belief the property owner is entitled to Vested Rights for this Project.

Print name: **Connie L. Basel** Signature: Connie L. Basel
Date: October 25, 2006

Sworn to and subscribed before me by Connie L. Basel on this 24th day of October in the year 2006, to certify which witness my hand and seal of office.

NOTARY PUBLIC STATE OF TEXAS
LORI J BETUS
NOTARY PUBLIC
State of Texas
Comm. Exp. 04-11-2009

Lori J. Betus
Notary Public, State of Texas

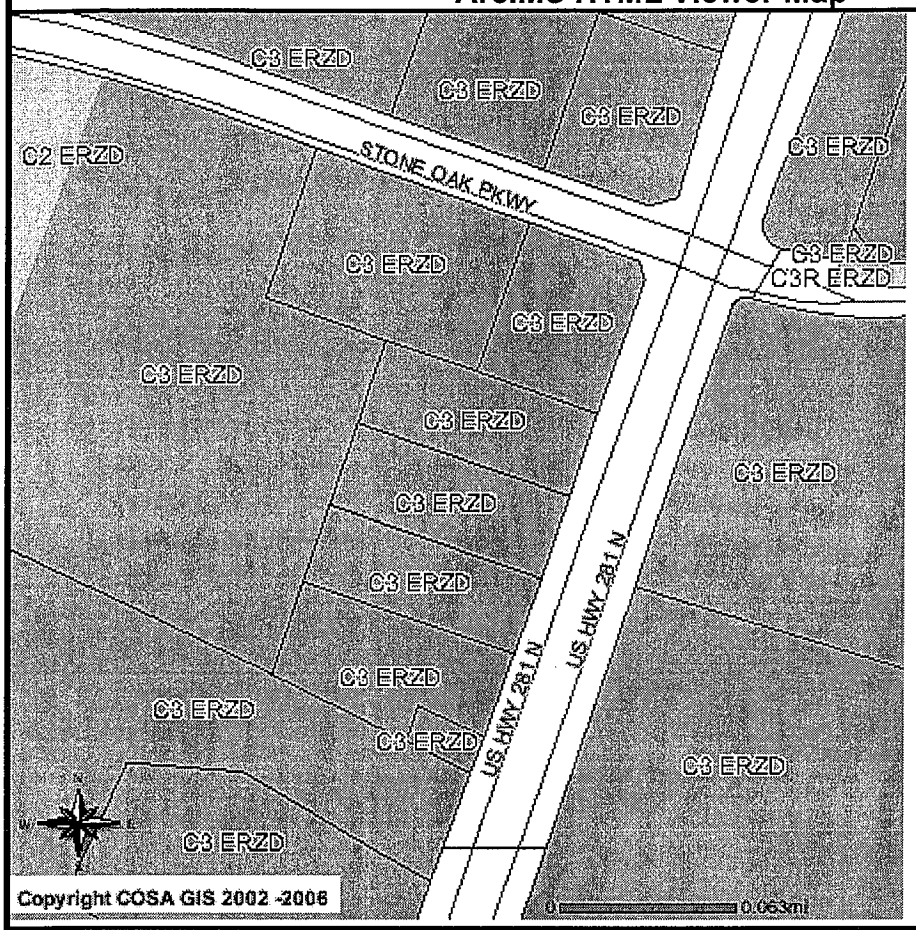
11-08-06A11:02 RCVD
VRP#07-11-007

Map Output

VRP# 07-11-007

EXHIBIT 4

ArcIMS HTML Viewer Map



11-08-06A11:04 RCVD

EXHIBIT 5

VRP#07-11-007

11-08-06AT1:04 RCVD

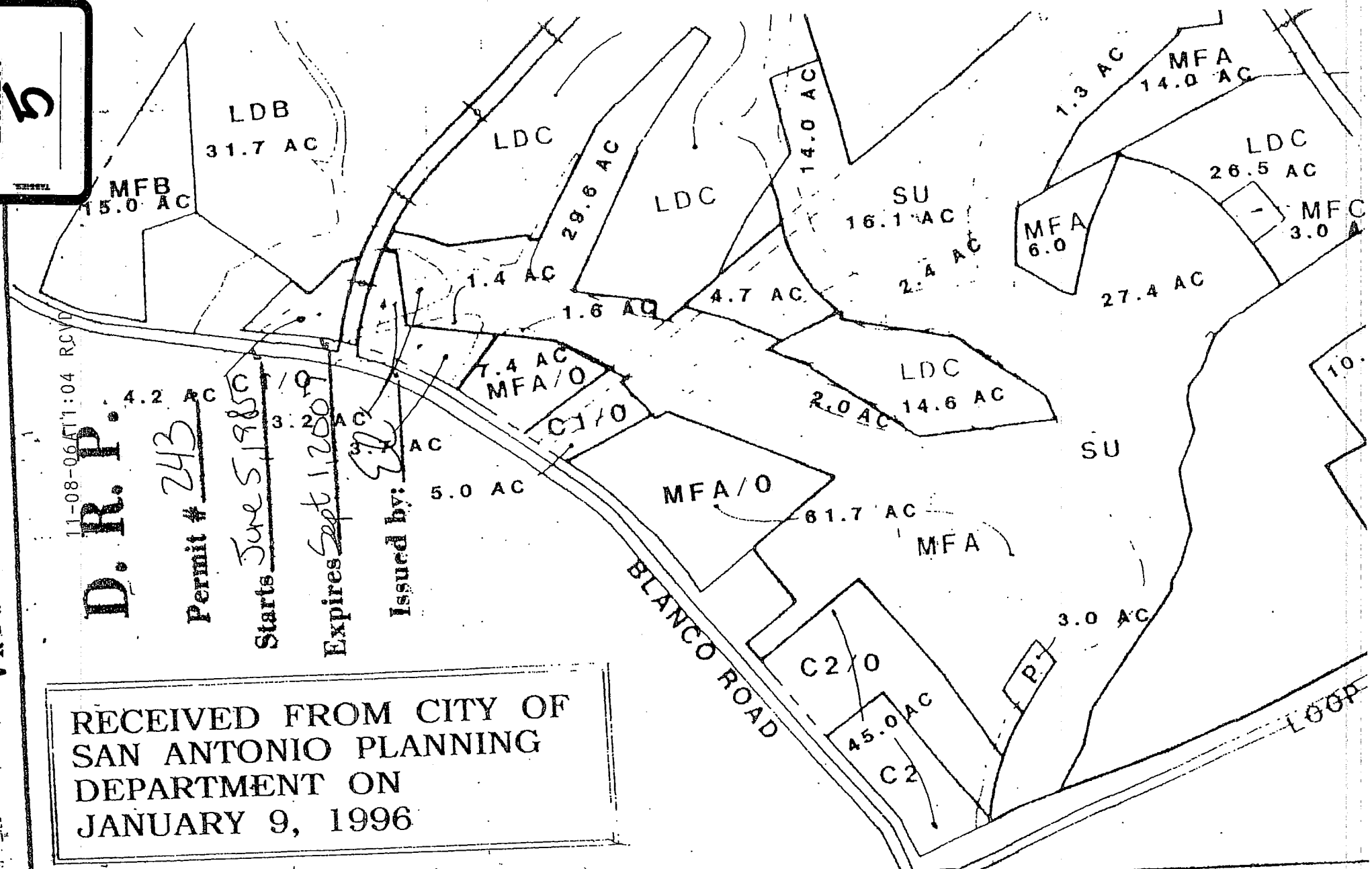
D. R. P.

Permit # 243

Starts June 5, 1985

Expires Sept 12, 2007

Issued by: [illegible]



RECEIVED FROM CITY OF SAN ANTONIO PLANNING DEPARTMENT ON JANUARY 9, 1996

STONE OAK

STONE OAK, INC.
11306 Sir Winston
San Antonio, Texas 78216

EXHIBIT 4

LAND

VRP# 97-11-007

City of San Antonio
New
Vested Rights Permit
APPLICATION

CITY OF SAN ANTONIO
DEPARTMENT OF PLANNING
02 JAN 15 PM 2:09

Permit File: # VRP-02-01-059
Assigned by city staff

Date: January 11, 2001

1. All applicable information on application must be legibly printed or typed for processing. *If application is completed on behalf of the property owner please attach power of attorney or letter of agent.*
2. *Please complete subject of application and attach 2 sets of all applicable documents (i.e. this application, Master Development Plan (Formaly POADP), P.U.D. plan, plat application, approved plat, building permit).*

Note: All Applications must have a Site Map showing the Area Boundary (Attached).

1. Owner/(Agent) EARL + BROWN on behalf of FC PROPERTIES ONE, LTD
2. Address: 111 SOLEDAD, SUITE 1111
3. Zip: 78205 Telephone # 210-222-1500
4. Site location or address N. of FM 1604 & E. of 281
5. Council District 9 ETJ ___ Over Edward's Aquifer Recharge (✓) yes ( ) no

- **MASTER DEVELOPMENT PLAN (MDP)** (Formaly POADP)*

accepted *prior to September 1, 1997* are subject to permit right conditions within 18 months from the effective date of the development rights ordinance (9/25/97) and projects submitted *after September 1, 1997* are subject to 18 months for the POADP acceptance date.

Name: Stone Oak POADP # 048

Date accepted: 6/5/85 Expiration Date: NA MDP Size: 4300 acres

- **P.U.D. PLAN**

Name: ___ # ___

Date accepted: ___

11-08-06A11:04 RCVD

- **Plat Application**

Plat Name: ___ Plat # ___ Acreage: ___

Date submitted: ___ Expiration Date: ___

(Note: Plat must be approved within 18 months of application submittal date).

EXHIBIT 6

VRP# 07-11-007

August 17,2001

11-08-06A11:04 RCVD

CITY OF SAN ANTONIO DEPARTMENT OF PLANNING 02 JAN 10 PM 2:09

• Approved Plat

Plat Name: _____ Plat # _____ Acreage: _____

Date: _____ Plat recording Date: _____ Expiration Date: _____ Vol./Pg. _____

(Note: If plat is not recorded within 3 years of plat approval permit rights will expire).

• Others

Type of Permit: DRP 64 Date issued: _____ Expiration Date: 9/1/07

Acreage: 4300

(Note: Two maps of the area must be provided) – See PDADP ATTACHED

NOTE: Filing a knowingly false statement on this document, or any attached document, is a crime under §37.02 and §37.10 of the Texas Penal Code, punishable as a state jail felony by up to two years in jail and fine of up to $10,000.

I hereby certify that all information this Application and the attached documents are true and correct and that it is my belief the property owner is entitled to Vested Rights on the listed location.

Print name: Habib H. Erkan Jr. Signature: [signature] Date: 1-11-02

Sworn to and subscribed before me by on this 11th day of JANUARY 20 02 to certify which witness by hand and seal of office.

Notary Public, State of Texas, My Commission expires: _____

EVELYN M. AGUILAR
Notary Public, State of Texas
My Commission Expires
April 26, 2005

City of San Antonio use

☒ Approved ☐ Disapproved

Review By: [signature] Date: 2-6-02
Assistant City Attorney

~~Note that vested rights expire all DRP~~

August 17, 2001

Applicant showed Plat filed

City of San Antonio

Development Services Department

Vested Rights Permit Application

Completeness Review

Note: All Applications must comply with the Unified Development Code (UDC), Section 35-B124 Vested Rights Determination for the City of San Antonio.

VRP 07-11-007

Required Items: Section 35-B124, Vested Rights' Determination

An Application for a Vested Rights Determination shall be made by the Applicant on a form established for such purpose and provided by the City and shall contain at least the following information:

1. Appropriate filing fee. ✓

2. Section 35-B124

(a) Name and address of Applicant; ✓
(b) Project description and name of subdivision or development, if applicable; ✓
(c) Location of development; ✓
(d) Total land area, in square feet; ✓
(e) Total area of impervious surface, in square feet; ✓
(f) Number of residential dwelling units, by type; N/A
(g) Type and amount of non-residential square footage; ✓
(h) Phases of the development, if applicable; N/A
(i) Verified or certified copies of all development permits, contracts, appraisals, reports, correspondence, letters, or other documents or materials upon which the Applicant's claim for vested rights or equitable estoppel is based; ✓
(j) A Sworn Statement, in a form prescribed by the City, and signed by the Applicant; and ✓
(k) A legal description of the Property ✓

In addition to the required processing as set forth above, an Application for Consent Agreement Approval shall include, but shall not be limited to the following:

- a timing and phasing plan for the proposed development;
- a plan for the provision of public facilities and services to the proposed development, by phase; the conditions under which the proposed development will be authorized to proceed;
- and the conditions under which approvals or permits will lapse or may be revoked.

A document shall be considered "verified" or "certified", whether an original or a copy, if it is signed by the official with decision making authority for the permit application."

☑ **Accepted** ☐ **Rejected**

Completeness Review By: Michaela A. Gauthier **Date:** 8 NOV 06

11-08-06A11:02 RCVD

Permit File #_____

EXHIBIT
2

City of San Antonio
Development Services Department
Vested Rights Permit/Consent Agreement
APPLICATION

Permit File: #_____
Assigned by city staff

Date: October 25, 2006

☒ **Vested Rights Permit** ☐ **Consent Agreement**

1. **All applicable information on application must be legibly printed or typed for processing.** ***If application is completed on behalf of the property owner please attach power of attorney or letter of agent.***

2. ***Please complete subject of application and attach 2 sets of all applicable documents (i.e. this application, Master Development Plan, P.U.D. plan, plat application, approved plat, building permit) along with appropriate fee.***

> ***Note: All Applications must comply with the Unified Development Code (UDC), Section 35-B124 Vested Rights Determination for the City of San Antonio.***

(a) Owner/Agent: Brown, P.C, Attorneys at Law

Phone: (210) 299-3704 **Fax:** (210) 299-4731

Address: 112 E. Pecan Street, Suite 1490

City: San Antonio **State:** Texas **Zip code:** 78205

Engineer/Surveyor: Raymond Tarin of Cude Engineers
Address: 10325 Bandera Road

City: San Antonio **State:** TX **Zip Code:** 78250

Name of Project: Cactus Bluff Commercial Unit 2

(b) Site location or address of Project and Legal description: A 6.106-Acre tract, more specifically described as New City Block 19219, Block 25, Lots 1-4, Bexar County, Texas, as further illustrated on approved Cactus Bluff Commercial Unit 2 Plat No. 990488, which has been recorded in Volume 9559, Page 163, of the Bexar County Deed and Plat Records, Bexar County, Texas.

Council District 9 **ETJ** N/A **Over Edward's Aquifer Recharge? (X) yes ( ) no**

11-08-06A11:02 RCVD

3. **What is the specific Project and the expected use(s) to be created by this Project (type of development, number of buildings, type of building(s), specific use(s) of those buildings, etc.)?** ***Please be aware that the city must understand exactly what this Project is expected to accomplish in order to evaluate this application.***

VRP# 07-11-007

11-08-06A11 02 RCVD

VRP#07-11-007

EXHIBIT 2

Doc# 20003032685 8
Book 9533
Page 1660
Filed & Recorded
12/19/2000 01 48 00 PM
GERRY RICKHOFF
COUNTY CLERK
BEXAR COUNTY
RECORDING $ 25 00
RECORDS ARCHIVE $ 5 00
RECORDS MANAGEM $ 1 00
COURTHOUSE SECU $ 1 00

THE CITY OF SAN ANTONIO AS A PART OF IT'S ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENTS AND RIGHT-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT" "GAS EASEMENT" "ANCHOR EASEMENT" "SERVICE EASEMENT" "OVERHANG EASEMENT" "UTILITY EASEMENT" AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING CONSTRUCTING RECONSTRUCTING MAINTAINING REMOVING INSPECTING PATROLLING AND ERECTING POLES HANGING OR BURYING WIRES CABLES CONDUITS PIPELINES OR TRANSFORMERS EACH WITH IT'S NECESSARY APPURTENANCES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR S ADJACENT LAND THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPERTUNANCES THERETO IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS CONCRETE SLABS OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS

ANY CPS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS EQUIPMENT LOCATED WITHIN SAID EASEMENT DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATIONS

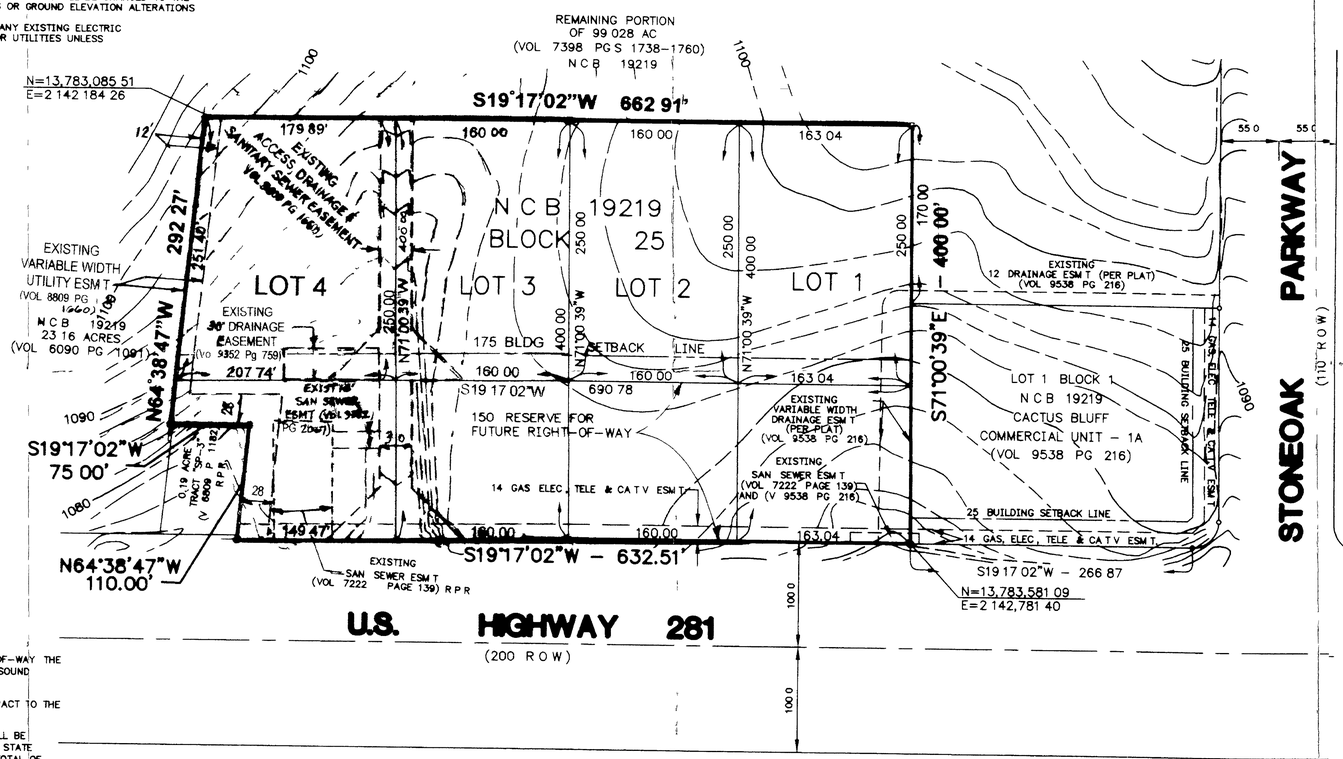
THIS PLAT DOES NOT AMEND ALTER RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC GAS WATER SEWER DRAINAGE TELEPHONE CABLE T V EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW

AMENDMENTS INCLUDE

1) DELETE 20 WIDE DRAINAGE EASEMENT
2) CHANGE SOUTH BOUNDARY FROM 312 38 TO 292 27
3) CHANGE WEST BOUNDARY FROM 660 68 TO 662 91
4) CHANGE NORTH BOUNDARY FROM 420 00 TO 400 00
5) CHANGE TIE ON NORTH BOUNDARY FROM 190 00 TO 170 00
6) CHANGE ACREAGE FROM 6 41 TO 6 106 IN THE PROPERTY DESCRIPTION

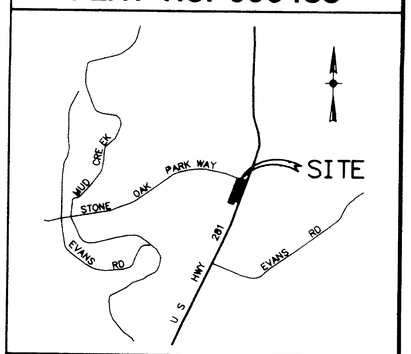
AMENDMENTS (CONT)

7) REMOVE 12 DRAINAGE ESM T
8) ADD ACCESS DRAINAGE AND SANITARY SEWER ESM T (0 3903 AC) (VOL 8809 PGS 1660-1834)
9) ADD VARIABLE WIDTH UTILITY ESM T (0 2309 AC) (VOL 8809 PGS 1660-1834)
10) ADD 30 DRAINAGE ESM T
11) ADD SANITARY SEWER ESM T
12) REMOVE PROPOSED CONTOURS AND ADD EXISTING FROM CCIT SJBD DRAINAGE IMPROVEMENTS



LEGEND
ELEC = ELECTRIC
TEL = TELEPHONE
CA T V = PARAGON CABLE
B S L = BUILDING SETBACK LINE
o INDICATES IRON PIN SET OR FOUND

PLAT NO. 990488



LOCATION MAP NTS

M W CUDE ENGINEERS, L L C.
CACTUS BLUFF COMMERCIAL UNIT 2
DECEMBER 1999
SHEET 1 OF 1

PURPOSE

THE PURPOSE OF THIS AMENDING PLAT IS TO REMOVE A 12 AND 20 WIDE DRAINAGE EASEMENT AS PER SECTION 35-4233(b) UNRECORDED PLATS AND TO CURE AN INADVERTENT ENCROACHMENT OF A PROPOSED BUILDING AS PER SECTION 35-4233 (a)(8) AND TO ADD AN ACCESS DRAINAGE AND SANITARY SEWER ESM T A VARIABLE WIDTH UTILITY ESM T A 30 DRAINAGE ESM T AND A 16 SANITARY SEWER ESM T AND TO REMOVE PROPOSED CONTOURS AND ADD EXISTING CONTOURS AS PER SECTION 35-4233(a)(6)

1 FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SET-BACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION

2 OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT-OF-WAY

3 MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY REGULATIONS FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS" THIS PROPERTY IS ELIGIBLE FOR A MAXIMUM COMBINED TOTAL OF THREE ACCESS POINTS BASED ON THE OVERALL PLATTED HIGHWAY FRONTAGE OF 632 51

4 IF SIDEWALKS ARE REQUIRED BY APPROPRIATE CITY ORDINANCE A SIDEWALK PERMIT MUST BE APPROVED BY TxDOT PRIOR TO CONSTRUCTION WITHIN STATE RIGHT OF WAY LOCATION OF SIDEWALKS WITHIN STATE RIGHT OF WAY SHALL BE AS DIRECTED BY TxDOT

ORIGIN OF STATE PLANE COORDINATES
NGS MARK MILLER PID AY0121

THIS PLAT INCLUDES AMENDMENTS APPROVED BY THE DIRECTOR OF DEVELOPMENT SERVICES ON AUGUST 11, 2003

THIS SUBDIVISION IS WITHIN THE EDWARDS RECHARGE ZONE DEVELOPMENT WITHIN THIS SUBDIVISION IS SUBJECT TO CHAPTER 34 ARTICLE VI DIVISION 6 OF THE SAN ANTONIO CITY CODE ENTITLED "AQUIFER RECHARGE ZONE AND WATERSHED PROTECTION" OR THE LATEST REVISION THEREOF

NO PERSON SHALL COMMENCE THE CONSTRUCTION OF ANY REGULATED ACTIVITY UNTIL AN EDWARDS AQUIFER PROTECTION PLAN ("WATER POLLUTION ABATEMENT PLAN" OR "WPAP") OR MODIFICATION TO AN APPROVED PLAN AS REQUIRED BY 30 TAC 213 5 OF THE TEXAS WATER CODE OR LATEST REVISION THEREOF HAS BEEN FILED WITH THE APPROPRIATE REGIONAL TNRCC OFFICE AND THE APPLICATION HAS BEEN APROVED BY THE DIRECTOR OF THE TNRCC

WASTEWATER EDU NOTE THE NUMBER OF EQUIVILENT DWELLING UNITS (EDU S) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE PLANNING DEPARTMENT

MICHAEL W CUDE 43630

STATE OF TEXAS

COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS LOTS AND DRAINAGE LAYOUT AND TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE EXCEPT FOR THOSE VARIANCES THAT MAY HAVE BEEN GRANTED BY THE PLANNING COMMISSION OF THE CITY

M W CUDE ENGINEERS L L C
MICHAEL W CUDE P E

REGISTERED PROFESSIONAL ENGINEER

CAROLYN G HARTMAN Notary Public State of Texas My Commission Expires FEBRUARY 11 2003

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 3rd DAY OF March A D 20 00

NOTARY PUBLIC
BEXAR COUNTY TEXAS

STATE OF TEXAS

COUNTY OF BEXAR

THE OWNER OF THE LAND SHOWN ON THIS PLAT IN PERSON OR THROUGH A DULY AUTHORIZED AGENT DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS ALLEYS PARKS WATER COURSES DRAINS EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED

DULY AU

STATE OF TEXAS

COUNTY OF BEXAR

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED H.J Buckley KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 3rd DAY OF March A.D 2000

CAROLYN G HARTMAN Notary Public State of Texas My Commission Expires FEBRUARY 11 2003

NOTARY PUBLIC
BEXAR COUNTY TEXAS

SUBDIVISION PLAT
ESTABLISHING

CACTUS BLUFF COMMERCIAL UNIT 2

A 6,106 ACRE TRACT OF LAND OUT OF A 99 028 ACRE TRACT DESIGNATED AS TRACT DESIGNATED AS TRACT "VII" AS DESCRIBED BY DEED RECORDED IN VOLUME 7398, PAGES 1738-1760, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS AND OUT OF THE WILLIAM BRISBIN SURVEY NO 89 1/2 ABSTRACT NO 54, COUNTY BLOCK 4924, BEXAR COUNTY, TEXAS

M.W. CUDE ENGINEERS, L.L.C.
CIVIL ENGINEERS & SURVEYORS
(210) 681-2951
10325 BANDERA RD
SAN ANTONIO, TEXAS 78250

THIS PLAT OF CACTUS BLUFF COMMERCIAL UNIT 2 HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION

DATED THIS 22 DAY OF March A.D 2000

BY Robert J. Wandrisco CHAIRMAN

BY Edward Sugner SECRETARY

DECEMBER, 1999

STATE OF TEXAS REGISTERED MICHAEL W CUDE 23 PROFESSIONAL LAND SURVEYOR

CAROLYN G HARTMAN Notary Public State of Texas My Commission Expires FEBRUARY 11 2003

STATE OF TEXAS

COUNTY OF BEXAR

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND

M W CUDE ENGINEERS L L C
MICHAEL W CUDE R P L S

REGISTERED PROFESSIONAL LAND SURVEYOR

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 3rd DAY OF March A.D 2000

NOTARY PUBLIC
BEXAR COUNTY TEXAS

STATE OF TEXAS

COUNTY OF BEXAR

Gerry Rickhoff COUNTY CLERK OF SAID COUNTY DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR MY RECORD IN MY OFFICE ON THE 19 DAY OF DEC. 2003 A.D 1 40 AT P M AND DULY RECORDED THE 19 DAY OF December 2003 A D 3:35 AT P M IN THE RECORDS OF Deeds and Plats OF SAID COUNTY IN BOOK VOLUME 9569 ON PAGE 163

IN TESTIMONY WHEREOF WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 19th DAY OF Dec. A D 2003

COUNTY CLERK BEXAR COUNTY TEXAS

BY Susan Sepulveda DEPUTY

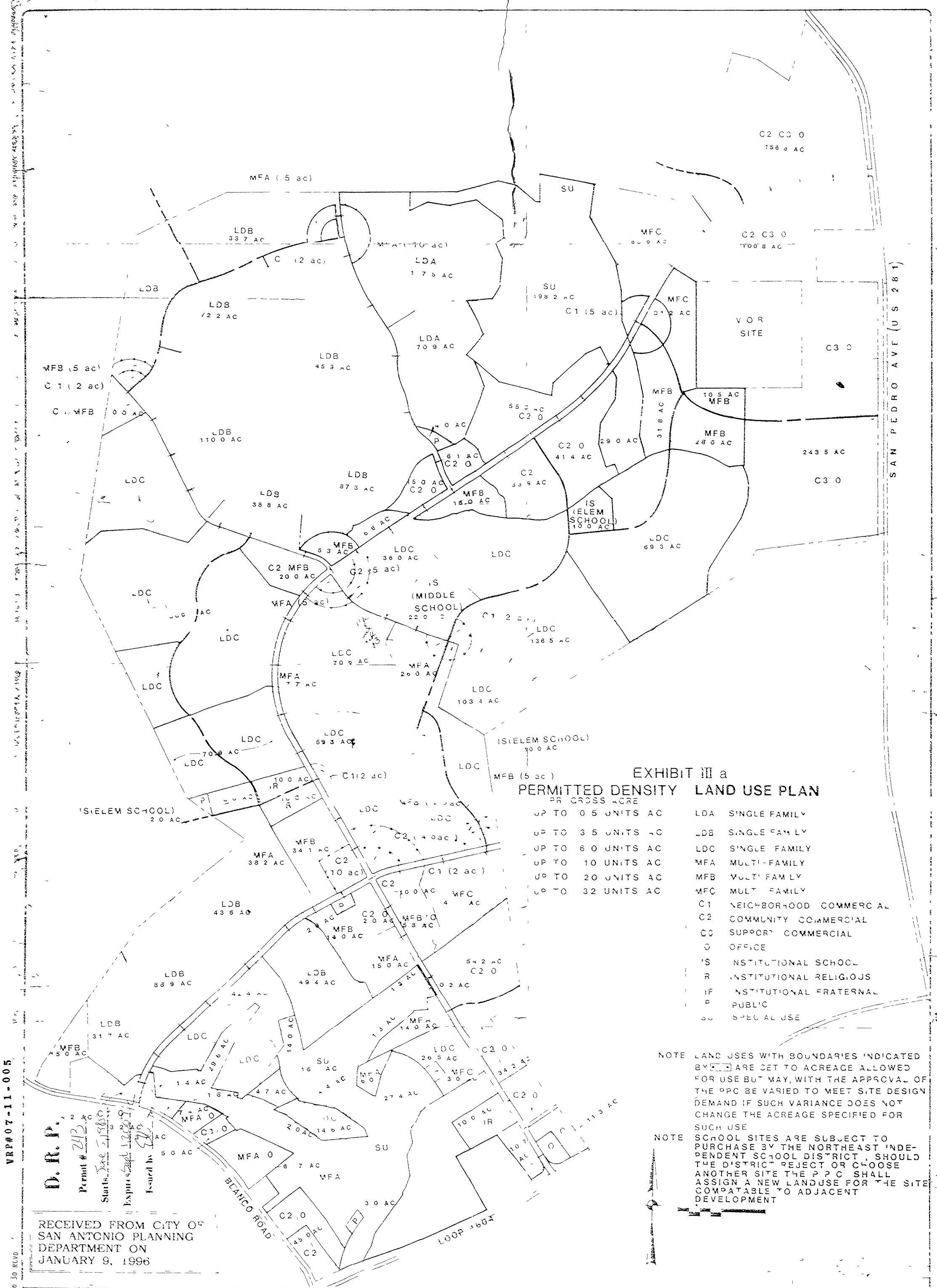


EXHIBIT 3

STONE OAK

LAND USE PLAN

HALLENBERGER TELFORD INC.
PLANNERS
ENGINEERS
ARCHITECTS
SAN ANTONIO TEXAS 78216

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VRP#07-11-005

11-08-06A10:30 RCVD